IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17537 of 2004

Between:

M. Sujatha W/o late Chenna Kesava Reddy
R/o 1/1286 Gandhi Nagar, Yerramukhapalli Cuddapah

..... PETITIONER

AND

Cuddapah Municipality, rep by Municipal Commissioner, Municipal Office
Cuddapah

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or order more particularly one in the nature of Writ of mandamus declaring the action of the Respondent herein in disobeying the orders of the Hon'ble II Additional District Judge, Cuddapah, passed in A.S. No. 79/1990 as bad, illegal and unconstitutional and further direct the Respondent to collect the Property Tax @ Rs. 491,40 ps for each half year.

Counsel for the Petitioner:MR.KESHAV HULSURKAR

Counsel for the Respondent No.: MRK.M.MAHENDER REDDY

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties.

Petitioner has filed this writ petition seeking a Mandamus declaring the action of the respondent herein in disobeying the orders of the II-Additional District Judge, Kadapa, passed in A.S.No.79 of 1990 as bad, illegal and unconstitutional and further direct the respondent to collect the property tax @ Rs.491.40 ps for each half year and pass such other order or orders as this Court may deem fit in the circumstances of the case.

In the first instance, we do not think that this Court can be turned into an executing Court for the judgments and decrees of Additional District Judge, Kadapa. In the second instance, the matter before the Additional District Judge was pertaining to the assessment year 1997-98. Therefore, for all these reasons, the writ petition is misconceived and is not maintainable.

The writ petition is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, J)

30th September, 2004.

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(S.ANANDA REDDY, J)

vrn

To

1 The Municipal Commissioner, Kadapa Municipality, Municipal

Office, Kadapa.

2 Two C.D copies